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Submitted by: Assemblymembers Taylor and Abney
Prepared by: Assembly Office
For reading: JULY 25, 2000

**ANCHORAGE, ALASKA
AO NO. 2000-127**

AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING ANCHORAGE MUNICIPAL CODE CHAPTER 11.70, PUBLIC TRANSIT SYSTEM, TO ADD PROVISIONS DEFINING AND PROHIBITING CERTAIN ACTS AND INCLUDE THE PROHIBITED ACTS WITHIN THE JURISDICTION OF THE ADMINISTRATIVE HEARING OFFICER UNDER TITLE 14.

THE ANCHORAGE ASSEMBLY ORDAINS

Section 1: That Anchorage Municipal Code Chapter 11.70 is amended by adding new sections to read as follows:

11.70.020 Definitions.

For the purposes of this Chapter:

Passenger vehicle means any vehicle provided, used, or under contract to transport passengers by the Municipality's Public Transportation System.

Service Animal means any guide dog, signal dog, or other animal trained to provide assistance to an individual with a disability.

Transit Station means any designated bus stop or other area used as a stopping place, including roofed areas, for the pick-up or discharge of passengers in regular route service or contract service by a passenger vehicle.

Concealed Weapon means any weapon as identified in Anchorage Municipal Code Section 8.25.020.

11.70.030 Prohibited Acts.

A It is unlawful for any person at a transit station or while aboard a passenger vehicle with a capacity for seating of five (5) or more passengers which is transporting passengers in regular route service within the limits of the Municipality of Anchorage to:

- 1 Smoke, consume, or carry a lighted or smoldering pipe, cigar, cigarette or any other tobacco product;
- 2 Consume food or drink, except in a designated area within a transit station;
- 3 Spit;
- 4 Discard, dispose, place, throw, or drop any litter in or from a passenger vehicle, except into receptacles designated for that purpose;

- 2 5. Play any radio, boom box, cassette recorder, musical instrument or other such
3 device, unless it is connected to an earphone that limits the sound to the individual
4 user;
- 5 6. Carry any flammable or combustible liquids, live animals, explosives, acids or
6 any other item inherently dangerous or offensive to others, except for:
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8 a. properly contained small animals; or
9 b. a service animal properly harnessed or on a leash (but need not be
10 muzzled) and accompanied by a passenger with a disability;
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- 12 7. Stand in front of the white line marked on the forward end of the floor of any
13 passenger vehicle or otherwise conduct himself/herself in such a manner as to
14 obstruct the vision of the passenger vehicle operator;
- 15 8. Knowingly fail or refuse to pay the applicable fare for transportation on the
16 passenger vehicle in cash or tokens in the required manner;
- 17 9. Present a pass, transfer, or other fare medium when the person presenting such
18 fare knows that the pass, transfer, badge or other fare medium is not valid;
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- 20 10. Carry a concealed weapon or other instrument intended for use as a weapon
21 except by law enforcement personnel;
- 22 11. Willfully obstruct, impede, hinder, interfere with or otherwise disrupt the safe and
23 efficient operation of the passenger vehicle or any driver in the performance of
24 his/her duties;
- 25 12. Knowingly cause the doors of any passenger vehicle to open by activating a
26 safety device designed to allow emergency evacuation of passengers. It is an
27 affirmative defense to a prosecution under this subsection that the person charged
28 believed, in good faith, that the action was necessary to protect people from injury
29 or death;
- 30 13. Use abusive language, insulting threats, or any other type of obscenity or physical
31 abuse upon a passenger vehicle operator or another passenger; or
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- 33 14. Refuse to leave a passenger vehicle at the request of a passenger vehicle operator
34 due to obstructive and/or inappropriate behavior.
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42 **11.70.040** **Penalty.**

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44 Any person violating the provisions of this Chapter shall be subject to a fine of not less than ten
45 (\$10.00) and no greater than fifty dollars (\$50.00) as follows:
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Violation	Short title	Fine
11.70.030A.1.	Smoke or consume tobacco	\$25
11.70.030A.2.	Consume food or drink	\$10
11.70.030A.3.	Spit	\$25
11.70.030A.4.	Litter	\$10
11.70.030A.5.	Loud music	\$10
11.70.030A.6.; 11.70.030A.10	Carry prohibited item or animal	\$50
11.70.030A.7	Stand in front of white line	\$25
11.70.030A.8.	Evade fare	\$50
11.70.030A.9.	Board with invalid pass or transfer	\$50
11.70.030A.11.; 11.70.030A.12.; 11.70.030A.13.	Stop, interfere or impede operation	\$50
11.70.030A.14.	Refuse to leave passenger vehicle	\$50

11.70.040 Signs Required.

The Public Transportation Department shall require the conspicuous display, within each passenger vehicle, of a sign clearly setting forth all of the prohibitions of this Chapter.

Section 2: Anchorage Municipal Code section 14.60.030 is amended to read as follows: *(the remainder of the section is not affected and therefore not set out)*

14.60.030 Fine schedule.

The fine schedule under this chapter is as follows

<u>Code Section</u> * * *	<u>Offense</u> * * *	<u>Penalty/Fine</u> * * *
11.70.030A.1.	Smoke or consume tobacco	\$25
11.70.030A.2.	Consume food or drink	\$10
11.70.030A.3.	Spit	\$25
11.70.030A.4.	Litter	\$10
11.70.030A.5.	Loud music	\$10
11.70.030A.6.; 11.70.030A.10	Carry prohibited item or animal	\$50
11.70.030A.7	Stand in front of white line	\$25
11.70.030A.8.	Evade fare	\$50
11.70.030A.9.	Board with invalid pass or transfer	\$50
11.70.030A.11.; 11.70.030A.12.; 11.70.030A.13.	Stop, interfere or impede operation	
11.70.030A.14.	Refuse to leave passenger vehicle	

Section 3: That this ordinance is effective within 60 days after passage and approval by the Anchorage Assembly.

PASSED AND APPROVED by the Anchorage Assembly this _____ day of _____, 2000.

Chair

ATTEST:

Municipal Clerk



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

NO. AM 752-2000

Meeting Date: JULY 25, 2000

From: Assemblymembers Taylor and Abney

Subject: AN ORDINANCE AMENDING AMC 11.70 AND 14.60 TO PROHIBIT CERTAIN ACTS ON THE PUBLIC TRANSIT SYSTEM AND INCLUDE THE PROHIBITED ACTS WITHIN THE JURISDICTION OF THE ADMINISTRATIVE HEARING OFFICER

Bus operators throughout the Nation and within the Municipality of Anchorage experience disruption of policy and/or public peace in one form or another while performing their duties. Currently, the Anchorage Public Transportation Department prohibits eating or drinking, playing loud music, and smoking on public buses. Because this prohibition is merely policy and not supported by a Municipal ordinance, bus operators have no defense when confronted with unacceptable and intrusive passenger behavior.


At the request of local bus operators, the attached ordinance is being submitted to make unruly behavior aboard passenger vehicles unlawful, and is supported by a penalty/fine for those who break the law. Although the probability of the Anchorage Police Department fully enforcing this law could be considered inconceivable, legislating inappropriate behavior aboard passenger vehicles would serve as a deterrent for passengers who are determined to violate policy. The attached ordinance, modeled after legislation in both Washington, D.C. and Honolulu, Hawaii, would subject passengers who commit any of the acts listed below to a fine of not less than \$10 and no greater than \$50. The ordinance would also fall within the jurisdiction of the Administrative Hearing Officer under Title 14.

- Smoke or Consume Tobacco
- Consume Food/Drink
- Spit
- Litter
- Loud Music
- Carry a Prohibited Item or Animal
- Stand in Front of White Line
- Evade Fare
- Board with Invalid Pass or Transfer
- Stop, Interfere, or Impede Operation
- Refuse to Leave Passenger Vehicle

If approved, the ordinance will take effect within 60 days which will provide the Public Transportation Department the required time to educate the public on the new law, and place signs within each passenger vehicle that clearly sets forth the prohibitions of the Anchorage Municipal Code.

Approving this ordinance is an effortless demonstration of support for the welfare of our drivers and the passengers. Your approval of this ordinance is encouraged.

Respectfully submitted,


Melinda Taylor
Assemblymember

Prepared by:


Elvi Gray-Jackson
Policy and Budget Analyst

Reviewed by:


Greg Moyer, Director
Assembly Office

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects - General Government

AO Number: AO 2000- 127

Title: Amending AMC 11.70 and 14.60 to Prohibit
 Certain Acts on the Public Transit System

Sponsor: Assemblymembers Taylor and Abney

Preparing Agency: Assembly Office

Others Affected: Public Transportation

CHANGES IN EXPENDITURE AND REVENUES (Thousands of Dollars)

Operating Expenditures	FY 00	FY 01	FY 02	FY 03	FY 04
1000 Personal Services					
2000 Supplies					
3000 Other Services					
4000 Debt Service					
5000 Capital Outlay					
TOTAL DIRECT COSTS:					

ADD: 6000 Charge from Others					
LESS: 7000 Charge to Others					
FUNCTION COSTS:					

REVENUES:					
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CAPITAL:					

POSITIONS: FT/PT and Temp.					

Public Sector Economic Effects:

Although the intent of the ordinance is not necessarily to raise revenues within the Transportation Department, it is anticipated that a slight increase in revenues could result with the passage of this ordinance.

Private Sector Economic Effects:

Passengers who commit an illegal action outlined in the ordinance would be subject to a fine of not less than \$10 and no greater than \$50.

Municipality of Anchorage
MUNICIPAL CLERK'S OFFICE
AGENDA DOCUMENT CONTROL SHEET

AO 00-127

1	SUBJECT OF AGENDA DOCUMENT	DATE PREPARED 7/25/00
	An Ordinance Amending AMC Chapter 11.70, Public Transit	INDICATE DOCUMENTS ATTACHED AO/AM/SEE
	System	
2	DEPARTMENT NAME Assembly	DIRECTOR'S NAME Fay Von Gemmingen
3	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY Elvi Gray-Jackson/Law	HIS/HER PHONE NUMBER 4751
4	COORDINATED WITH AND REVIEWED BY	INITIALS DATE
	Mayor	
	Municipal Clerk	
	Municipal Attorney	
	Employee Relations Director	
	Municipal Manager	
	Finance	
	Community Development and Planning	
	Property and Facility Management	
	Management Information Systems	
	Office of Management and Budget	
	Purchasing	
	Operations Manager	
	Cultural and Recreational Services	
	Fire	
	Health and Human Services	
	Police	
	Public Works	
	Transit	
	Merrill Field (Airport)	
	Municipal Light and Power	
	Anchorage Water and Wastewater	
	Port	
	Solid Waste Services	
5	SPECIAL INSTRUCTIONS/COMMENTS	
	<i>Addendum</i>	
	<i>7-B-5 Introductory</i>	
	<i>Public Hearing Date to be Determined</i>	
6	ASSEMBLY MEETING DATE	7 PUBLIC HEARING DATE REQUESTED
	7/25/00	8/15/00

M.O.A.
 00 JUL 25 AM 11:07
 CLERK'S OFFICE